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**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF WASHINGTON**

DUANE HOPKINS, ) Case No.  
Plaintiff, )  
vs. )  
 ) COMPLAINT FOR VIOLATION  
 ) OF FEDERAL FAIR DEBT  
 ) COLLECTION PRACTICES ACT  
 ) AND INVASION OF PRIVACY  
MERIDIAN MANAGEMENT)  
SOLUTIONS, LLC, )  
Defendant. )

## **I. NATURE OF ACTION**

1. This is an action for damages brought by an individual consumer for Defendant's violations of the Fair Debt Collection Practices Act, 15 U.S.C. § 1692, *et seq.* (hereinafter "FDCPA") and of the Revised Code of Washington, Chapter 19.16, both of which prohibit debt collectors from engaging in abusive, deceptive, and unfair practices. Plaintiff further alleges a claim for invasion of privacy by intrusion, ancillary to Defendant's collection efforts.

## II. JURISDICTION

2. Jurisdiction of this Court arises under 15 U.S.C. § 1692k(d).

### **III. PARTIES**

3. Plaintiff, Duane Hopkins, is a natural person residing in the State of Washington, County of Pend Oreille, and City of Newport.

4. Plaintiff is a “consumer” as defined by the FDCPA, 15 U.S.C. § 1692a(3), and a “debtor” as defined by RCW § 19.16.100(11).

5. At all relevant times herein, Defendant, Meridian Management Solutions, LLC, (“Defendant”) was a limited liability company engaged, by use of the mails and telephone, in the business of attempting to collect a “debt” from Plaintiff, as defined by 15 U.S.C. §1692a(5).

6. Defendant is a “debt collector” as defined by the FDCPA, 15 U.S.C. § 1692a(6), and a “licensee,” as defined by RCW § 19.16.100(9).

#### IV. FACTUAL ALLEGATIONS

7. At various and multiple times prior to the filing of the instant complaint, including within the one year preceding the filing of this complaint, Defendant contacted Plaintiff in an attempt to collect an alleged outstanding debt.

1 Defendant's conduct violated the FDCPA and RCW § 19.16 in multiple ways,  
 2 including but not limited to:

- 4     a. Communicating with Plaintiff after having received a letter from  
       5 Plaintiff with a request to cease and desist all collection contacts or a  
       6 statement that Plaintiff refuses to pay the debt (§ 1692c(c));  
    b. Engaging in conduct the natural consequence of which is to harass,  
       7 oppress, or abuse Plaintiff, including continuing to contact Plaintiff  
       8 despite being previously notified of the fact that the debt is not valid and  
       9 that the account information for the account does not match Plaintiffs  
       10 information (§ 1692d));  
    c. Falsely representing the character, amount, or legal status of Plaintiffs  
       11 debt, including falsely stating that Plaintiff owes the alleged debt (§  
       12 1692e(2)(A)).

13           9.     Defendant's aforementioned activities, set out in paragraph 8, also  
 14 constitute an intentional intrusion into Plaintiff's private places and into private  
 15 matters of Plaintiff's life, conducted in a manner highly offensive to a reasonable  
 16 person. With respect to the setting that was the target of Defendant's intrusions,  
 17 Plaintiff had a subjective expectation of privacy that was objectively reasonable  
 18 under the circumstances.

20           10.   As a result of Defendant's behavior, detailed above, Plaintiff  
 21 suffered and continues to suffer injury to Plaintiff's feelings, personal humiliation,  
 22 embarrassment, mental anguish and emotional distress.

1                   **COUNT I: VIOLATION OF FAIR DEBT**  
 2                   **COLLECTION PRACTICES ACT**

3                 11. Plaintiff reincorporates by reference all of the preceding paragraphs.  
 4

5                   **PRAYER FOR RELIEF**

6                 WHEREFORE, Plaintiff respectfully prays that judgment be entered  
 7  
 8 against the Defendant for the following:

- 9                 A. Declaratory judgment that Defendant's conduct  
 10                   violated the FDCPA;
- 11                 B. Actual damages;
- 12                 C. Statutory damages;
- 13                 D. Costs and reasonable attorney's fees; and,
- 14                 E. For such other and further relief as may be just and proper.

15                   **COUNT II: VIOLATION OF WASHINGTON COLLECTION AGENCY**  
 16  
 17                   **ACT, WHICH IS A PER SE VIOLATION OF THE WASHINGTON**  
 18                   **CONSUMER PROTECTION ACT**

20                 12. Plaintiff reincorporates by reference all of the preceding paragraphs.

21                   **PRAYER FOR RELIEF**

22                 WHEREFORE, Plaintiff respectfully prays that judgment be entered  
 23  
 24 against the Defendant for the following:

- 25                 B. Actual damages;
- 26                 C. Discretionary Treble Damages;

- D. Costs and reasonable attorney's fees,
- F. For such other and further relief as may be just and proper.

### **COUNT III: COMMON LAW INVASION OF PRIVACY BY INTRUSION**

13. Plaintiff reincorporates by reference all of the preceding paragraphs.

## **PRAYER FOR RELIEF**

WHEREFORE, Plaintiff respectfully prays that judgment be entered against the Defendant for the following:

- A. Actual damages
- B. Punitive Damages; and,
- C. For such other and further relief as may be just and proper.

Respectfully submitted this 4th day of March, 2009.

s/Jon N. Robbins  
Jon N. Robbins  
WEISBERG & MEYERS, LLC  
Attorney for Plaintiff